



THE COMMITTEE - PRE- COUNCIL DISCUSSION FORUM MINUTES

for the meeting

Tuesday, 2 August 2022

in the Colonel Light Room, Adelaide Town Hall

© 2022 CITY OF ADELAIDE. ALL RIGHTS RESERVED



Present – The Right Honourable the Lord Mayor, Sandy Verschoor (Acting Chair)
Councillors Couros, Donovan, Hou, Hyde, Khera, Knoll, Martin, Moran and Snape

1 Selection of Acting Chair

In the absence of the Chair (Deputy Lord Mayor, Councillor Abrahamzadeh), nominations were called for the position of Acting Chair.

Councillor Couros nominated the Lord Mayor, who accepted the nomination, was subsequently appointed, and took the Chair at 5.58pm.

Councillors Moran, Martin and Snape entered the Colonel Light Room at 5.58 pm.

2 Acknowledgement of Country

The Acting Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

3 Apologies and Leave of Absence

Apology:

Deputy Lord Mayor, Councillor Abrahamzadeh

4 Item 3 - Confirmation of Minutes

That the Minutes of the meeting of The Committee held on 19 July 2022, be taken as read and be confirmed as an accurate record of proceedings.

5 Presentations

Nil

6 All reports in this section will be presented to Council

All reports in this section will be presented to Council on 9 August 2022 for consideration and determination

7 Item 5.19 - 2021/22 Quarterly Business Update Q4

Theo Maras, Adelaide Central Market Authority Board Chair accompanied by Jodie Kannane Adelaide Central Market Authority General Manager addressed the meeting and responded to questions from Committee Members.

During the address from Theo Maras, Councillor Hyde entered the Colonel Light Room at 6.02 pm.

Nikki Govan Adelaide Economic Development Agency Board Chair and Ian Hill Adelaide Economic Development Agency Managing Director addressed the meeting and responded to questions from Committee Members.

During discussion Councillor Snape left the Colonel Light Room at 6.24 pm.

Tom McCready Director City Services, Bree Goodchild Manager Strategy Insights & Performance and Grace

Pelle Manager Finance & Procurement, City of Adelaide responded to questions from Council Members.

During discussion:

- Councillor Snape re-entered the Colonel Light Room at 6.28 pm
- Councillor Khera left the Colonel Light Room at 6.34 pm and re-entered at 6.36 pm

Item 5.19 - CEO Undertaking – 2021/22 Quarterly Business Update SQ4

In response to queries from Cr Martin, an undertaking was given to provide actual figures for the percentage spent referenced in the Executive Summary.

8 Item 5.1 - Adelaide Zero Project - Partnership Opportunity

Sarah Gilmour, Associate Director, Park Lands Policy & Sustainability and Lauren Grant, Team Leader Social Planning & Reconciliation, City of Adelaide, responded to questions from Council Members.

Item 5.1 - CEO Undertaking – Adelaide Zero Project – Partnership Opportunity

In response to queries from Cr Hyde, an undertaking was given to endeavour to get a response before Council to whether there is the capability to deliver the Homelessness Conference if funding was available.

9 Item 5.2 - Gladys Elphick Park / Narningga (Park 25) – Eastern Mound Redevelopment

Rachel Emmott, Manager City Lifestyle and Matthew Field, Team Leader Community Lifestyle, City of Adelaide responded to questions from Committee Members.

During discussion Councillor Hyde left the Colonel Light Room at 6.47 pm

10 Item 5.3 - Indenture 9-13 Hocking Court, Adelaide

Mike Philippou, Associate Director Strategic Property & Commercial and Shaun Coulls, Manager Commercial & Property Leasing, City of Adelaide were available to respond to questions.

11 Item 5.4 - Undergrounding Powerlines Scheme – Residential Streets

Tom McCready, Director City Services, Simon Keith Manager Technical Services & Caitlin Evans Manager Infrastructure Planning, City of Adelaide, responded to questions from Committee Members.

During discussion:

- Councillor Knoll left the Colonel Light Room at 6.53 pm and re-entered at 6.55 pm.
- Councillor Hou left the Colonel Light Room at 6.57 pm.

Item 5.4 - CEO Undertaking – Undergrounding Powerlines Scheme – Residential Streets

In response to queries from Cr Donovan re inclusion of Vincent Street, an undertaking was given to attempt prior to Council to do a similar comparison of features.

12 Item 5.5 - Palmer Place On-Street Parking

Tom McCready, Director City Services, Simon Keith Manager Technical Services & Caitlin Evans Manager Infrastructure Planning, City of Adelaide, responded to questions from Committee Members.

During discussion Councillor Hou re-entered the Colonel Light Room at 7.00 pm.

13 Item 5.6 - Recommended Levels of Service for Urban Elements Asset Management Plan

Simon Keith Manager Technical Services & Caitlin Evans Manager Infrastructure Planning, City of Adelaide, were available to respond to questions from Committee Members.

14 Item 5.7 - City Plan Engagement Approach

Sarah Gilmour, Associate Director, Park Lands Policy & Sustainability, City of Adelaide, was available to
The Committee - Pre-Council Discussion Forum Meeting – Minutes - Tuesday, 2 August 2022

respond to questions from Committee Members.

15 Item 5.8 - Lease for Experience Adelaide Visitor Centre

Ian Hill, Adelaide Economic Development Agency Managing Director was available to respond to questions from Committee Members.

16 Item 5.9 - Main Streets Concept Options

Tom McCready, Director City Services, Simon Keith Manager Technical Services & Caitlin Evans Manager Infrastructure Planning, City of Adelaide, responded to questions from Committee Members.

17 Item 5.10 - Illuminate Adelaide 2022 Public Art

Ilia Houridis, Director City Shaping, Logan Macdonald Project Lead Public Art & Mimi Crowe Manager Creative City, City of Adelaide, responded to questions from Committee Members.

18 Item 5.11 - Draft Culture Policy

Mimi Crowe Manager Creative City, City of Adelaide, was available to respond to questions from Committee Members

19 Item 5.12 - Draft Climate Policy

Ilia Houridis, Director City Shaping, Sarah Gilmour Associate Director Park Lands, Policy & Sustainability and Lara Daddow, Manager Low Carbon & Circular Economy, City of Adelaide, responded to questions from Committee Members.

20 Item 5.13 - Interactive Urban Forest Map Tool

Sarah Gilmour Associate Director Park Lands, Policy & Sustainability and Maria Zotti, Manager Park Lands & Sustainability, City of Adelaide, were available to respond to questions from Committee Members.

Councillor Hyde re-entered the Colonel Light Room at 7.14 pm

21 Item 5.14 - Draft Climate Action Plan

Ilia Houridis, Director City Shaping, Sarah Gilmour Associate Director Park Lands, Policy & Sustainability and Maria Zotti, Manager Park Lands & Sustainability, City of Adelaide, responded to questions from Committee Members.

22 Item 5.15 - Review of Adelaide Park Lands Community Land Management Plan

Sarah Gilmour Associate Director Park Lands, Policy & Sustainability and Maria Zotti, Manager Park Lands & Sustainability, City of Adelaide, were available to respond to questions from Committee Members.

Councillor Couros left the Colonel Light Room at 7.16 pm

23 Item 5.16 - Grant of Easement for public lighting at 73-85 Pirie Street, Adelaide

Simon Keith, Manager Technical Services & Caitlin Evans Manager Infrastructure Planning, City of Adelaide, were available to respond to questions from Committee Members.

24 Item 5.17 - Rating Policies

Grace Pell, Manager Finance & Procurement, City of Adelaide, responded to questions from Committee Members.

Councillor Couros re-entered the Colonel Light Room at 7.19 pm

Item 5.17 - CEO Undertaking - Rating Policies

In response to queries from Cr Hyde, an undertaking was given to clarify whether the mandatory rebate referenced in the Homelessness, Social Housing and Housing Affordability Policy is confirming the legislative position that exists and / or through adoption of the Policy the mandatory rebate is also supported by Council as a policy position of Council.

25 Item 5.18 - Partnership Opportunities

Jade O'Donohue, Executive Manager, Office of CEO, City of Adelaide, was available to respond to questions from Committee Members.

26 Item 5.20 - Strategic Plan 2020-2024 - Year 2 Update

Bree Goodchild, Manager Strategy Insights & Performance, City of Adelaide, was available to respond to questions from Committee Members.

27 Exclusion of the Public

In accordance with sections 90(2), (3) and (7) of the *Local Government Act 1999 (SA)* The Committee considered whether to discuss in confidence the reports contained within section 7 of the Agenda.

28 Exclusion of the Public for Item 7.1

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 2 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [North Adelaide Railway Station – Expression of Interest Results] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains commercial information (not being a trade secret) of a confidential nature which the proponent has requested be considered in confidence on the grounds that the proposal details their intellectual property, and the release of this information prematurely may be contrary to public interest. The disclosure of information in this report could reasonably be expected to prejudice the commercial position and negotiations of the Council and proponent with external parties.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in release of information prior to the finalisation of 'commercial in confidence' negotiations between the proponent and their suppliers and may materially and adversely affect the financial viability of the proponent in relation to contract negotiations which on balance would be contrary to the public interest.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 2 August 2022 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 7.1 [North Adelaide Railway Station – Expression of Interest Results] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

29 Exclusion of the Public for Item 7.2

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 2 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.2 [Award of Contract (August)] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

The disclosure of information in this report could reasonably prejudice the commercial position and identity of the contractor who supplied 'commercial in confidence' material containing commercial pricing and methodology information. This report contains reference to 'commercial in confidence' tender response documentation, disclosure of which at this point in time may confer a commercial advantage on a third party, prejudice the ability for Council to undertake/participate in future discussion or negotiation and prejudice the Council's commercial position and opportunity to discuss or negotiate an option yet to be determined by the Council at this point in time.

Public Interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will result in release of contractor commercial pricing and methodology information, a competitor receiving the information to the detriment of the interested parties and the person who supplied the information at this point in time (and for approximately three years from the date of this report) and because the disclosure of Council's commercial position may severely prejudice Council's ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information increases the heightened legal and reputational risk exposure. This is in accordance with Council's Procurement Policy and seeks to protect the commercial interests of the participants in the tender process.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 2 August 2022 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 7.2 [Award of Contract (August)] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

30 Exclusion of the Public for Item 7.3

THAT THE COMMITTEE

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of The Committee dated 2 August 2022 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.3 [Expression of Interest Process] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains confidential information (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which whom the council is conducting business, prejudice the commercial position of the council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of the council with respect to its commercial dealings with the land as well as prejudice the commercial position of parties who have supplied intellectual property and commercial in confidence information.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstance given that the information in this report, including certain financial information and further direction, may prejudice Council's future commercial dealings with regard to its strategic land holding. In addition, information within this report contains the intellectual property and commercial in confidence information of parties who have supplied information which if released could negatively impact Council. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and community in this matter.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of The Committee dated 2 August 2022 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to

receive, discuss or consider in confidence Item 7.3 [Expression of Interest Process] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

Members of the public and Corporation staff present not directly involved with Items 7.1, 7.2 and 7.3 left the Colonel Light Room at 7.28 pm

31 All reports in this section will be presented to Council in Confidence

All reports in this section will be presented to Council on 9 August 2022 for consideration and determination.

32 Item 7.1 - North Adelaide Railway Station – Expression of Interest Results

Document is Restricted

Pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*.

33 Item 7.2 - Award of Contract (August)

Document is Restricted

Pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*.

34 Item 7.3 - Expression of Interest Process

Document is Restricted

Pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*.

35 Confidentiality Orders

The Colonel Light Room re-opened to the public at 7.33 pm

Item 7.1 – North Adelaide Railway Station – Expression of Interest Results

In accordance with Section 91(7) and (9) of the *Local Government Act 1999 (SA)* and because Item 7.1 [North Adelaide Railway Station – Expression of Interest Results] listed on the Agenda for the meeting of The Committee held on 2 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that:

1. The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 7.2 – Award of Contract (August)

In accordance with Section 90(3) (b) and (d) of the *Local Government Act 1999 (SA)* and because Item 7.2 [Award of Contract (August)] listed on the Agenda for the meeting of The Committee held on 2 August 2022 was received, discussed and considered in confidence pursuant to Section 90(3) (b) & (d) of the *Local Government Act 1999 (SA)*, this meeting of The Committee do order that:

1. The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Item 7.3 – Expression of Interest Process

In accordance with Section 91 (7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 7.3 [Expression of Interest Process] listed on the Agenda for the meeting of The Committee held on 2 August 2022 was received, discussed and considered in confidence pursuant to Section 90 (3) (b) & (d) of the *Local Government Act 1999 (SA)*, the meeting of The Committee do order that:

1. The report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2029.
2. The confidentiality of the matter be reviewed in December 2023.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

36 Closure

The meeting closed at 7.33 pm.

Lord Mayor, Sandy Verschoor
The Acting Committee Chair